

**Heber City Corporation  
City Council Meeting**

**June 19, 2014**

**7:07 p.m.**

**REGULAR MEETING**

The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on June 19, 2014, in the City Council Chambers at 75 North Main Street, Heber City, Utah.

<b>Present:</b>	Mayor	Alan W. McDonald
	Council Members	Robert Patterson
		Jeffery Bradshaw
		Erik Rowland
		Heidi Franco

<b>Excused:</b>	Council Member	Kelleen Potter
-----------------	----------------	----------------

<b>Also Present:</b>	City Manager	Mark K. Anderson
	City Engineer	Bart Mumford
	Planning Director	Anthony Kohler
	Police Department	Jason Bradley
	City Attorney	Mark Smedley
	Deputy Recorder	Amanda Anderson

**Others Present:** Paul Boyer, Danny Goode, Clair Provost, Ernie Giles, Clint Neerings, Tracy Taylor, Anissa Wardell, Brian Balls, Tracy Johnson, Tracy Emmanuel, Susan Brandt, Danny Warner, Jeff Findarle, Amy Anderson, Holly Kohler, Tessa Kohler, and others whose names were illegible.

Mayor McDonald welcomed those in attendance.

<b>Pledge of Allegiance:</b>	Council Member Heidi Franco
<b>Prayer/Thought:</b>	Council Member Robert Patterson

***CONSENT AGENDA***

**Item 1: Mi Ranchito Restaurant Requests Local Consent for a Full Service Beer Restaurant Alcohol License at 734 West 100 South:** Council Member Patterson made a motion to approve the alcohol license for Mi Ranchito Restaurant. Council Member Bradshaw seconded the motion. Council Member Franco asked if there was a quota the City was allowed for alcohol licenses, based on population to keep in compliance with State requirements. Tony Kohler stated he had not checked recently to see if the City was near their limit. Mark Anderson, City Manager, stated the State would inform the City if there was not a license available.

Voting Aye: Council Members Patterson, Bradshaw and Rowland. Voting Nay: Council Member Franco. Council Member Potter was excused.

### ***ACTION ITEMS***

#### **Item 2: Approve Ordinance 2014-15, an Ordinance Amending Residential Facilities for Disabled Persons:**

Tony Kohler explained the proposed changes to the Ordinance. Council Member Bradshaw stated he had received more calls with regard to this item than any other and was concerned with the number of people in the facility. Danny Walker explained the intent of their facility. Council Member Franco asked Mr. Walker if he would be willing to communicate more effectively with the neighbors, the Police Department and the City to better inform them and ease concerns. Council Member Rowland asked what the average stay at the facilities was and Mr. Walker stated it was typically three to six months. Mr. Walker explained in more detail the purpose of his facility and afterwards Council Member Bradshaw thanked him for providing the additional information to the Council and felt this information would help ease the concerns of the residents.

Council Member Rowland made a motion to approve Ordinance 2014-15, an Ordinance amending residential facilities for disabled persons. Council Member Patterson made the second. Voting Aye: Council Members Patterson, Bradshaw, Rowland and Franco. Voting Nay: None. Council Member Potter was excused.

### ***OPEN PERIOD FOR PUBLIC COMMENT***

Mayor McDonald opened the floor at this time for public comment. Paul Boyer spoke to the Council with regard to the airport and provided them a handout (see materials). Mr. Boyer presented the information to the Council and urged them to review the information provided in an attempt to standardize airport operations and treat all fairly and consistently. Anissa Wardell stated she felt the majority of the community was not against the tax increase for the WCFD, but they were opposed to some of the proposed uses of those funds. She also stated that allowing Red Ledges to discharge fireworks and not allowing the citizens to do the same was unfair and asked for the Council to allow the community to discharge fireworks.

### ***ACTION ITEMS (continued)***

#### **Item 3: Development Corp, LLC, Requests Subdivision Final Approval for Broadhead Estates Phase 2, a 33 Lot Subdivision Located at Approximately 750 East Center Street:**

Tracy Johnson thanked the Council for allowing him time this evening and stated the original project began in 2003 and after waiting for the economy to pick back up, the project was ready to move forward. Council Member Franco asked about fencing, to which Mr. Johnson answered there would be 6' vinyl fences. Council Member Franco then asked about elevation changes from Center Street to the Broadhead Estates subdivision and Brian Balls, Summit Engineering, explained the survey results. Mayor McDonald asked if Mr. Johnson was in agreement with the proposed Subdivision Agreement and he stated they were in agreement. Council Member Bradshaw disclosed that Summit Engineering was a tax client of his and they had not spoken with regard to this agenda item and he felt there was no conflict of interest.

Council Member Rowland made a motion to approve the Broadhead Estates Phase 2, a 33 lot subdivision located at 750 East Center Street, subject to the terms of the Development Agreement. Council Member Patterson made the second.

Voting Aye: Council Members Patterson, Bradshaw, Rowland and Franco. Voting Nay: None. Council Member Potter was excused.

**Item 4: Jeff Findarle, Request to Refund Cash Bond for Sidewalks for the Findarle**

**Subdivision:** Mr. Findarle stated he would like the City to release his \$2,000 sidewalk bond and add a deed restriction for a later date for construction of the sidewalks. After some discussion between the Council, Mr. Findarle, Tony Kohler, Mark Smedley and Bart Mumford, Mayor McDonald asked for a motion.

Council Member Rowland made a motion to refund the sidewalk cash bond for the Findarle Subdivision with a deed restriction that within eight months upon completion of the homes a sidewalk must be installed for each of the two lots. Council Member Patterson seconded the motion.

Bart Mumford asked to reiterate for clarification purposes that this would be a deed restriction that within eight months of completion of the homes a sidewalk would be put in for each of the two subdivision lots.

Voting Aye: Council Members Patterson, Bradshaw and Rowland. Voting Nay: Council Member Franco. Council Member Potter was excused.

**Item 5: Public Hearing on Unbilled Services:** Mayor McDonald stated the purpose of the Public Hearing and invited the public to comment. Tracy Taylor asked if there were other entities that were not being billed for services, to which the Council replied it was only the City that was not billed for the services they offered. Mark Anderson stated he had spoken to the auditor and due to the amounts of unbilled services, nothing needed to be included in the budget and only the public hearing would be required in the future.

Council Member Rowland moved to continue to not bill the City for services. Council Member Franco seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Rowland and Franco. Voting Nay: None. Council Member Potter was excused.

**Item 6: Public Hearing – Resolution 2014-06: A Resolution Adopting the 2014-15 Operating Budget and Amendment of the 2013-14 Operating Budget to Allow for**

**Additional Revenues and Expenditures:** Mark Anderson presented a Power Point presentation which detailed the proposed budget, amendments, etc. (see materials). He stated it would be appropriate to adopt the budget amendments at this time and then to hold the Truth in Taxation hearing in August with the standard State required noticing procedures. Mayor McDonald explained the purpose of the public hearing and then invited the public to give their comments to the Council. Paul Boyer asked if the airport improvements included the FBO's area and Anderson answered that it was and the FAA allowed their funds to be used for that purpose.

Council Member Bradshaw moved to adopt the proposed budget. Mark Anderson requested specific amounts for the 125<sup>th</sup> year celebration, modifications to the capital items that were updated from prior meetings, the exact People's Health Clinic donation and adding a \$20 fee for glider parking at the airport added to the Consolidated Fee Schedule. After discussion, the following dollar amounts were decided upon: 125<sup>th</sup> year celebration: \$7,000. People's Health Clinic contribution: \$6,000. Council Member Bradshaw amended his motion to include the above changes.

Council Member Patterson seconded the motion. Voting Aye: Council Members Patterson, Bradshaw, Rowland, and Franco. Voting Nay: None. Council Member Potter was excused.

**Amendment of the 2013-14 Operating Budget to Allow for Additional Revenues and**

**Expenditures:** Council Member Bradshaw moved to approve the following budget amendments to the 2013-14 Operating Budget to allow for additional revenues and expenditures: Building Permit Revenue of \$250,000, Zoning & Subdivision Fees \$50,000 and Contribution of General Fund Surplus of \$190,000. Planning Commission: Professional Services \$25,000. Police: Jail/Dispatch \$15,000. Transfers: \$450,000 Contribution to Other Funds. Industrial Park Capital Projects Fund: Contribution from Other Funds \$200,000. Road Impact Fees: Transfers from Other Funds \$50,000. Transportation Tax Fund: Transfer to Street Impact Fees \$50,000. Water Enterprise Fund: Salaries and Wages \$75,000, Benefits \$15,000, Depreciation \$54,500. Utility Fund: Special Supplies \$10,000, Insurance \$7,500. Internal Service Fund: Transfer from Other Funds \$250,000 and Depreciation Expense \$10,000.

Council Member Rowland made the second. Voting Aye: Council Members Patterson, Bradshaw, Rowland and Franco. Voting Nay: None. Council Member Potter was excused.

**Item 7: Approve Resolution 2014-09, a Resolution Adopting City Wide Fireworks and Open Fire Restrictions for 2014:**

Mayor McDonald suggested waiting until July 24<sup>th</sup> to place any restrictions on discharging fireworks. Council Member Rowland stated citizens had told him they were grateful for the use of the local parks to discharge fireworks. Council Member Rowland supported lifting the restriction for the July 4<sup>th</sup> holiday and looking at this item again closer to the July 24<sup>th</sup> holiday. After discussion, Council Member Rowland moved to remove resolution 2014-09 and then reevaluate prior to July 24, 2014. Council Member Patterson made the second. Voting Aye: Council Members Patterson, Bradshaw, Rowland and Franco. Voting Nay: None. Council Member Potter was excused.

**Item 8: Red Ledges, Approve Request to Discharge Fireworks on July 4, 2014:** After some discussion, Council Member Rowland moved to approve Red Ledges' request to discharge fireworks on July 4, 2014; subject to the terms of the agreement between Red Ledges and Heber City. Council Member Patterson seconded the motion.

Voting Aye: Council Members Patterson, Bradshaw, Rowland and Franco. Voting Nay: None. Council Member Potter was excused.

With no further business to discuss the meeting was adjourned.

---

Amanda Anderson  
Deputy Recorder